United Nations ST/SGB/1999/3

Secretariat

28 April 1999

Secretary-General's bulletin

Financial disclosure statements*

The Secretary-General, for the purpose of implementing staff regulations 1.2 (n) and staff rule 101.2 (o), promulgates the following:

Section 1

Obligation to file financial disclosure statements

1.1 Pursuant to staff regulation 1.2 (n), all staff members at the assistant secretary-general level and above shall be required to file financial disclosure statements upon appointment and, thereafter, on an annual basis in respect of themselves and their dependent children as that term is defined in the Staff Rules. Staff members at this level on "when actually employed" (WAE) appointments shall file such statements if and when the Secretary-General so decides.

1.2 Staff members who are required to make disclosure as referred to under section 1.1 shall also disclose substantial transfers of assets and property to spouses and dependent children from the staff member or from any other source that might constitute a conflict of interest situation to the staff member.

Section 2

Scope of disclosure for staff members

Staff members who are required to make financial disclosure under section 1.1 shall report the following in respect of themselves:

(a) Assets held that have a market value of US$ 25,000 or above per asset, or the equivalent in local currency at the operational rate of exchange as of the end of the reporting period. Assets include but are not limited to currency, including bank accounts, stocks, bonds, mutual funds and real estate (excluding personal and vacation residences, unless rented out). Personal items such as vehicles for the use of the staff member, jewellery and coin collections are excluded;

(b) Income earned from assets listed in subparagraph (a) above in the reporting period;

(c) Income earned, including any form of deferred compensation, profit shares or pension benefits from agreements or arrangements, whether from a former employer or otherwise, if the total of all such income is over US$ 25,000 in the reporting period;

(d) The source, the value and a brief description of gifts (other than gifts prohibited by the Staff Regulations and Rules), reimbursements and travel expenses (including a travel itinerary, dates and the nature of expenses provided) aggregating US$ 10,000 or more received from any one source other than the United Nations. Gifts from relatives are not required to be reported;

(e) Liabilities over US$ 50,000 owed to any creditor (including a former spouse but excluding liabilities to a parent, a sibling or a dependent child) at the end of the reporting period. A mortgage on the staff member's personal and vacation residence is excluded unless it is rented out.

Section 3

Scope of disclosure with respect to dependent children

Staff members who are required to make financial disclosure under section 1.1 shall report the following in respect of each of their dependent children:

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(a) Assets held that have a market value of US$ 25,000 or above per asset, or the equivalent in local currency at the operational rate of exchange as of the end of the reporting period. Assets include but are not limited to currency, including bank accounts, stocks, bonds, mutual funds and real estate (excluding personal and vacation residences, unless rented out). Personal items such as vehicles for the use of the dependent child, jewellery and coin collections are excluded;

(b) Income earned from assets listed in subparagraph (a) above in the reporting period;

(c) Income earned, if the total of all such income is over US$ 25,000 in the reporting period. However, only the source, and not the amount, of income is reported;

(d) Liabilities over US$ 50,000 owed to any creditor (excluding liabilities to a parent or a sibling) at the end of the reporting period.

Section 4

Scope of disclosure with respect to transfers of assets and property to spouses and dependent children

4.1 Staff members who are required to make financial disclosure as referred to under section 1.2 shall report substantial transfers of assets and property in the reporting period to spouses and dependent children from the staff member or from any other source that might constitute a conflict of interest situation. Assets and property include but are not limited to currency, including bank accounts, stocks, bonds, mutual funds and real estate, as well as personal items such as vehicles for the use of the spouses. Assets and property which have been transferred to the spouses as beneficiaries of a will, a life insurance or in accordance with a binding court order policy are excluded.

4.2 The disclosure requirement under section 4.1 applies to transfers of assets and property over US$ 10,000 in value.

Section 5

Forms

Forms will be established to facilitate financial disclosure. These forms shall also contain a certification providing that the disclosure that the staff member has made is true, complete and correct to the best of the staff member's knowledge; that no payments, assets or property have been received from Governments except as explained therein; that there is no conflict of interest with regard to the economic activities of the staff member's spouses and dependent children; and that the staff member shall assist the Secretary-General, upon his special request, in verifying the certification concerning the economic activities of his or her spouse and dependent children.

Section 6

Filing procedures

6.1 Initial financial disclosure shall be submitted to the Secretary-General within 60 days of the staff member's initial appointment. Annual financial disclosure shall be submitted to the Secretary-General in respect of the period from 1 January to 31 December and shall be submitted by 31 March of the following year.

6.2 The disclosure forms shall be kept for safe keeping in a secure location by the Head of the Executive Office of the Secretary-General.

Section 7

Confidentiality

Financial disclosure forms are confidential and will be used only by the Secretary-General or by a person specifically authorized in writing by the Secretary-General to determine, in accordance with staff regulation 1.2 (m), whether a conflict of interest situation exists.

Section 8

Entry into force and transitory provisions

8.1 The present bulletin shall enter into force on 1 July 1999, on which date all staff members subject to its provisions shall submit an initial financial disclosure.

8.2 The annual financial disclosure to be submitted by 31 March 2000 shall be in respect of the period from 1 July 1999 to 31 December 1999.

(*Signed*) Kofi A. **Annan**
Secretary-General

United Nations ST/SGB/1999/4

Secretariat

20 May 1999

Secretary-General's bulletin

Family and child support obligations of staff members*

The Secretary-General, for the purpose of implementing staff rule 101.2 (c) and pursuant to staff rule 103.18 (b) (iii), promulgates the following:

Section 1

Staff members' obligations

Staff rule 101.2 (c) provides, as one of the fundamental duties of all staff members, that they must comply with local laws and honour their private legal obligations, including the obligation to honour orders of competent courts. Such orders include orders against a staff member to make payments for the support of his or her spouse or former spouse and/or dependent children ("family support court orders").

Section 2

Procedures when staff members fail to comply with family support court orders

2.1 Under staff rule 103.18 (b) (iii), the Secretary-General may authorize deductions from staff members' salaries, wages and other emoluments for indebtedness to third parties. Family support court orders create indebtedness to third parties, such as the staff member's spouse, former spouse and/or dependent children.

2.2 To ensure effective relief when staff members fail to comply with family support court orders, the Organization will voluntarily take the following actions when it receives a family support court order against a staff member which is final and which is not being honoured by the staff member:

(a) The staff member will be requested to comply with the order immediately and to submit proof of compliance to the Organization within 30 calendar days from the date of receipt of the request from the Organization;

(b) If the staff member does not submit the proof of compliance within 30 days, the Organization will commence deductions from the staff member's United Nations emoluments in respect of the amounts ordered;

(c) The amounts deducted will then be paid to the spouse, former spouse or the dependent child(ren), in accordance with the order.

2.3 For the purpose of the present bulletin, a family support court order will be deemed final if the only action left in regard of that court order would be to have the order executed. If the staff member concerned contests the order, he or she must submit a new order of a competent court, setting aside or vacating the original order or staying the original order pending appeal, or proof that he or she has otherwise amicably resolved the matter with his or her spouse or former spouse. Until such evidence is submitted, the Organization will honour the original court order.

2.4 To facilitate the legal or judicial resolution of claims against staff members in spouse or child support cases, the Organization will continue to cooperate with the appropriate authorities and may provide, at their request, relevant information to persons or organizations outside the United Nations, when and in the manner it deems appropriate, even without the consent of the staff member. The staff member will be notified that the information has been provided and

* *Personnel Manual* index No. 1036.

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of the nature of the information, and will receive a copy of this information.

Section 3

Implementation

All requests for assistance in securing compliance with family support court orders and requests for information relating to family or child support are to be addressed to the Assistant Secretary-General for Human Resources Management for action. The Office of Legal Affairs will provide advice if the Organization is presented with conflicting family support court orders or if other legal issues arise.

Section 4

Final provisions

4.1 The present bulletin shall enter into force on 24 May 1999.

4.2 The provisions in paragraphs 8 and 9 of ST/AI/399 are hereby abolished.

(*Signed*) Kofi A. **Annan**
Secretary-General